Certificate of Mailing: The undersigned certifies that this correspondence is being sent via First-Class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 6th day of August, 2003.

Linda S. Evans

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Lovenberg et al.

Atty. Docket: ORT-1528

Serial No.:

09/993,159

Art Unit:

1632

Filed:

November 5, 2001

Examiner:

unknown

For:

Histamine Receptor H3 Modified Transgenic Mice

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Statement is supplemental to the Information Disclosure Statement dated February 4, 2002. Pursuant to 37 C.F.R. § 1.56 and in accordance with 37 C.F.R. §§ 1.97-1.98, Applicant submits the accompanying Form PTO-1449 (or substitute form) citing references relating to the above-identified application.

This Statement is being filed under the provisions of 37 C.F.R. § 1.97(b)(3). In the event that a first Office Action has been mailed, then this Statement is being filed under 37 C.F.R. § 1.97(c)(1) with the following statement as specified at 37 C.F.R. § 1.97(e). Each reference listed on the enclosed form was first cited in a counterpart international (PCT) application in a communication from the European Patent Office as International Searching Authority not more than three months prior to the filing of this Statement. A copy of the communication of the International Search Report (ISR), which is dated May 6, 2003, is enclosed.

A copy of each of the references listed on the enclosed form is enclosed. Each reference except for WO 03/004637 is in the English language. However, WO 00/31277 includes an English-language abstract and sequence listing.

This Statement should not be construed as an admission that any information provided herewith is material as that term is defined in 37 C.F.R. § 1.56(b) or that each cited reference qualifies as prior art. This Statement should not be construed as a representation that a search has been made, or that information more material does not exist.

The Examiner is respectfully requested to initial the citations on the enclosed form to confirm consideration of each reference.

If any fees are due in connection with the filing of this Statement, please charge any necessary fees to Deposit Account No. 10-0750.

Respectfully submitted,

Date August 6, 2003

Linda S. Evans Reg. No. 33,873

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, New Jersey 08933-7003 (858) 320-3406



PTO/SB/08A (08-00)
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## INFORMATION DISCLOSURE CITATION BY APPLICANT

(use as many sheets as necessary) Sheet 1 of 1

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Application Number	09/993,159		
Filing Date	November 5, 2001		
First Named Inventor	T. Lovenberg et al.		
Group Art Unit	1632		
Examiner Name			
Attorney Docket Number	ORT-1528		

	FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite	Foreign Patent Document			Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant		
		Office <sup>3</sup>	Number⁴ Ki	ndCode⁵	Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	T <sup>6</sup>	
		wo	95/11894	A1	The University of Toledo et al.	05-04-1995			
		wo	03/004637	A1	Banyu Pharmaceutical Co., Ltd.	01-16-2003			
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		NON-PATENT LITERATURE DOCUMENTS	
Examiner's	Cite No.1	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
		DUGOVIC, C. et al., "Altered REM Sleep, Locomotor Activity and Body Temperature in Mice", Society for Neuroscience Abstracts, Vol. 27, No. 1, p. 7, November 2001	
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	<del>                                     </del>		<del>                                     </del>

Examiner	Date
Signature	Considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<sup>1</sup> Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.